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CONGRESSIONAL RECORD — SENATE

14025

town, township, or a school or other special district created by or pursuant to State law.

(3) The term "grant-in-aid" means money, or property provided in lieu of money, paid or furnished by the United States under a fixed annual or aggregate authorization—

(A) to a State or political subdivision of a State; or

(B) to a beneficiary under a State-administered plan or program which is subject to approval by a Federal agency;

if such authorization either (1) requires the States or political subdivisions expend non-Federal funds as a condition for the receipt of money or property from the United States, or (ii) specifies directly, or establishes by means of a formula, the amounts which may be paid or furnished to States or political subdivisions, or the amounts to be allotted for use in each of the States by the State, political subdivisions, or other beneficiaries. The term does not include (1) shared revenues, (2) payments of taxes, (3) payments in lieu of taxes, (4) loans or repayable advances, (5) surplus property or surplus agricultural commodities furnished as such, (6) payments under research and development contracts or grants which are awarded directly and on similar terms to all qualifying organizations, whether public or private, or (7) payments to States or political subdivisions as full reimbursement for the costs incurred in paying benefits or furnishing services to persons entitled thereto under Federal laws.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1056), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of this bill, as amended, is to establish a uniform policy and procedure for periodic congressional review of grant-in-aid programs which are designed to assist States and their political subdivisions in meeting recognized national needs. Such reassessment by Congress is necessary to insure that the effectiveness of Federal grants as instruments of intergovernmental cooperation is improved, that such programs are revised and redirected to meet changing conditions and challenging new national problems, and that grant programs are terminated when they have substantially achieved their purpose. This legislation is intended neither to encourage nor discourage the use of the grant-in-aid device, but only to improve it when Congress deems it desirable.

AMENDMENT TO REORGANIZATION ACT OF 1949

The bill (H.R. 3496) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1965, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 6237) to amend section 503 of the Federal Property and Administrative Services Act of 1949, to authorize grants for the collection, reproduction, and publication of documentary

source material significant to the history of the United States was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949 WITH REGARD TO PROCUREMENT OF PROPERTY AND NONPERSONAL SERVICES BY EXECUTIVE AGENCIES

The bill (S. 1232) to amend the Federal Property and Administrative Services Act of 1949 to make title III thereof directly applicable to procurement of property and nonpersonal services by executive agencies was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 302 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, is amended to read as follows:

"Sec. 302. (a) Executive agencies shall make purchases and contracts for property and nonpersonal services in accordance with the provisions of this title and implementing regulations of the Administrator; but this title does not apply—

"(1) to agencies and activities specified in section 2303(a) of title 10, United States Code; or

"(2) when this title is made inapplicable pursuant to section 602(d) of this Act or any other law, but when this title is made inapplicable by any such provision of law sections 3709 and 3710 of the Revised Statutes, as amended (41 U.S.C. 5 and 8), shall be applicable in the absence of authority conferred by statute to procure without advertising or without regard to said section 3709."

Sec. 2. Subsection (c) of section 302 of said Act is amended as follows:

(a) By revising paragraph (4) to read:

"(4) for professional nonpersonal services;"

(b) By revising paragraph (15) to read:

"(15) otherwise authorized by law, except that section 304 shall apply to purchases and contracts made without advertising under this paragraph."

Sec. 3. The second sentence of subsection (a) of section 307 of said Act is amended by inserting immediately after "section," the following: "and except as provided in section 205(d) with respect to the Administrator;"

Sec. 4. Subsection (b) of section 307 of said Act is amended by striking out the second sentence thereof.

Sec. 5. Section 310 of said Act is amended to read as follows:

"Sec. 310. Sections 3709, 3710, and 3735 of the Revised Statutes, as amended (41 U.S.C. 5, 8, and 13), shall not apply to the procurement of property or nonpersonal services made by any executive agency pursuant to this title. Any provision of law which authorizes an executive agency (other than an executive agency which is exempted from the provisions of this title by section 302(a) of this Act), to procure any property or nonpersonal services without advertising or without regard to said section 3709 shall be construed to authorize the procurement of such property or services pursuant to section 302

(c) (15) of this Act without regard to the advertising requirements of sections 302(c) and 303 of this Act."

Sec. 6. Title III of said Act is amended by striking out the words "property and services" wherever they appear in that title (except where such words appear in section 304 (b) of that title), and inserting in lieu thereof the words "property and nonpersonal services".

Sec. 7. Subsection (d) of section 602 of said Act is amended as follows:

(a) By striking out the semicolon at the end of paragraph (15) and inserting in lieu thereof a comma and the following: "and the leasing and acquisition of real property, as authorized by law;"

(b) By striking out the word "or" where it appears at the end of paragraph (18).

(c) By striking out the period at the end of paragraph (19), and inserting in lieu thereof a semicolon and the word "or".

(d) By adding at the end of that subsection the following new paragraph:

"(20) The Secretary of the Interior with respect to procurement for program operations under the Bonneville Project Act of 1937 (50 Stat. 731), as amended."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1059), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The primary purpose of this bill is to make the modern code of procurement procedures contained in title III of the Federal Property and Administrative Services Act of 1949 directly applicable by statute to executive agencies of the Government not now so covered. At the present time, use of this modern code by such agencies is entirely on a permissive, delegated basis. This code will replace use of the limited provisions of section 3709, Revised Statutes, governing advertising and negotiation. A common statutory foundation of procurement authority will further enable the Administrator of General Services to prescribe uniform procurement policies and procedures for agencies and so to develop uniform procurement practices for the benefit both of the Government and the businessman contracting with the Government.

The bill also proposed certain less significant improvements in procurement. The bill would exclude the procurement of personal services from the operation of title III, which is essentially a property management code of procedures. It would make certain limitations of section 304 of the Federal Property and Administrative Services Act of 1949 (concerning fees of cost-type contracts, contingent fees, examination records, etc.) applicable to contracts negotiated by executive agencies under any law, not only title III.

AMENDMENT OF TITLE V OF THE FEDERAL AVIATION ACT OF 1958

The bill (H.R. 8673) to amend title V of the Federal Aviation Act of 1958, to provide that the validity of an instrument the recording of which is provided for by such act shall be governed by the laws of the place in which such instrument is delivered, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1060), explaining the purposes of the bill.